

FIRST REGULAR SESSION

HOUSE BILL NO. 603

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES JONES (110) (Sponsor), COOKSON, BARNES, CIERPIOT,
KOENIG, BURLISON, SCHARNHORST, FUNDERBURK, HUBBARD, PARKINSON, SWAN, HICKS,
SPENCER, DIEHL, BAHR AND HAAHR (Co-sponsors).

1491L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 160, RSMo, by adding thereto eight new sections relating to intervention options for struggling schools.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 160, RSMo, is amended by adding thereto eight new sections, to be
2 known as sections 160.2400, 160.2402, 160.2404, 160.2406, 160.2408, 160.2410, 160.2412, and
3 160.2414, to read as follows:

160.2400. For purposes of sections 160.2400 to 160.2414, the following terms mean:

2 **(1) "Charter management organization", a nonprofit organization that operates**
3 **or manages public charter schools by centralizing or sharing certain functions and**
4 **resources among public schools;**

5 **(2) "Education management organization", a for-profit or nonprofit organization**
6 **that provides whole-school operation services to a school district;**

7 **(3) "Parent", a parent, legal guardian, or person with whom a student under the**
8 **age of eighteen resides;**

9 **(4) "Restart model", a model in which a district converts a public school or closes**
10 **and reopens a public school under a charter school operator, a charter management**
11 **organization, or an education management organization that has been selected through a**
12 **rigorous review process;**

13 **(5) "School closure", the closure by a school district of a school and the enrollment**
14 **of the students who attended that school in other schools in the district that are higher**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 achieving as identified under the school improvement performance standards. These other
16 schools shall be within reasonable proximity to the closed school and may include, but are
17 not limited to, charter schools where applicable and space is available, or new schools for
18 which achievement data are not yet available;

19 (6) "Transformation model", a model that focuses on changing school leadership
20 and providing professional development aligned with the school's chosen comprehensive
21 instructional strategy in which a district implements each of the strategies described in
22 subsection 2 of section 160.2404;

23 (7) "Turnaround model", a model that focuses on changing school leadership, staff,
24 and governance in which a school district implements each of the strategies described in
25 subsection 3 of section 160.2404.

160.2402. 1. For any public school in the bottom twenty percent of schools as
2 identified for the previous school year under the school improvement program scoring
3 guide, parents may petition to convert the school into a charter school or transform it
4 under one of the following transformation models:

- 5 (1) Restart model;
- 6 (2) School closure;
- 7 (3) Transformation model;
- 8 (4) Turnaround model.

9 2. Sections 160.2400 to 160.2414 shall not apply to an existing public elementary or
10 secondary school that the district has scheduled for closure before August 28, 2013.

160.2404. 1. The following provisions shall apply to the restart model:

- 2 (1) The qualification of educational management organizations described in section
3 160.415 shall apply;
- 4 (2) A restart model shall enroll, within the grades it serves, any former student who
5 wishes to attend the school.

6 2. Each of the following strategies shall be required for the transformation model:

- 7 (1) To develop and increase teacher and school leader effectiveness by:
 - 8 (a) Replacing the principal who led the school prior to commencement of the
9 transformation model;
 - 10 (b) Using rigorous, transparent, and equitable evaluation systems for teachers and
11 principals that take into account data on student growth as a significant factor and use or
12 are based upon the model evaluation system adopted by the state board of education in
13 2012;
 - 14 (c) Identifying and rewarding school leaders, teachers, and other staff who, in
15 implementing this model, have increased student achievement and high school graduation

16 rates, where applicable, and identifying and removing those who, after ample opportunities
17 have been provided for them to improve their professional practice, have not done so;

18 (d) Providing staff with ongoing, high quality, job-embedded professional
19 development, such as but not limited to specific subject pedagogy, instruction that reflects
20 a deeper understanding of the community served by the school, or differentiated
21 instruction, that is aligned with the school's comprehensive instructional program and
22 designed with input from school staff to ensure they are equipped to facilitate effective
23 teaching and learning and have the capacity to successfully implement school reform
24 strategies; and

25 (e) Implementing such strategies as incentives that provide additional chances for
26 professional development or the acquisition of additional skills that would be suited to the
27 school, increased opportunities for promotion and career growth, and more flexible work
28 conditions designed to recruit, place, and retain staff with the skills necessary to meet the
29 needs of the students in a transformation school;

30 (2) To employ comprehensive instructional reform strategies that:

31 (a) Use data to identify and implement an instructional program that is research
32 based and vertically aligned from one grade to the next as well as aligned with state
33 academic standards; and

34 (b) Promote the continuous use of student data to inform and differentiate
35 instruction in order to meet the academic needs of individual students;

36 (3) To increase learning time and creating community-oriented schools by
37 establishing schedules and implementing strategies that provide increased learning time
38 and providing ongoing mechanisms for family and community engagement;

39 (4) To provide operational flexibility and sustained support that:

40 (a) Give the school sufficient operational flexibility to implement fully a
41 comprehensive approach to substantially improve student achievement outcomes and
42 increase high school graduation rates, where applicable; and

43 (b) Ensure that the school receives ongoing, intensive technical assistance and
44 related support from the district, the department of elementary and secondary education,
45 or a designated external lead partner organization, such as a school turnaround
46 organization or an educational management organization.

47 3. Each of the following strategies shall be required for the turnaround model:

48 (1) Replacing the principal and granting the new principal sufficient operational
49 flexibility to implement fully a comprehensive approach in order to substantially improve
50 student achievement outcomes and, where applicable, increase high school graduation
51 rates;

52 (2) Using locally adopted competencies, measuring the effectiveness of staff who can
53 work within the turnaround environment to meet the needs of students and screen all
54 existing staff and rehire no more than fifty percent and select new staff;

55 (3) Implementing such strategies as financial incentives, increased opportunities
56 for promotion and career growth, and more flexible work conditions designed to recruit,
57 place, and retain staff with the skills necessary to meet the needs of the students in the
58 turnaround school;

59 (4) Providing staff with ongoing, high quality, job-embedded professional
60 development that is aligned with the school's comprehensive instructional program and
61 designed with input from school staff to ensure that they are equipped to facilitate effective
62 teaching and learning and have the capacity to successfully implement school reform
63 strategies;

64 (5) Adopting a new governance structure, which may include, but is not limited to,
65 requiring the school to report to a new turnaround office in the district or department of
66 elementary and secondary education, hire a turnaround leader who reports directly to the
67 district superintendent, or enter into a multiyear contract with the district or department
68 to obtain added flexibility in exchange for greater accountability;

69 (6) Using data to identify and implement an instructional program that is research
70 based and vertically aligned from one grade to the next as well as aligned with state
71 academic standards;

72 (7) Promoting the continuous use of student data to inform and differentiate
73 instruction in order to meet the academic needs of individual students;

74 (8) Establishing schedules and implementing strategies that provide increased
75 learning time; and

76 (9) Providing appropriate social-emotional and community-oriented services and
77 supports for students.

 160.2406. 1. The transformation model, in addition to the requirements described
2 in subsection 2 of section 160.2404, may include the following strategies:

3 (1) To develop teachers' and school leaders' effectiveness:

4 (a) Providing incentives within constitutional and statutory limits to attract and
5 retain staff with the skills necessary to meet the needs of the students in a transformation
6 school;

7 (b) Instituting a system for measuring changes in instructional practices resulting
8 from professional development; or

9 (c) Ensuring that the school is not required to accept a teacher without the mutual
10 consent of the teacher and principal, regardless of the teacher's seniority;

11 **(2) To implement comprehensive instructional reform strategies, such as but not**
12 **limited to:**

13 **(a) Conducting periodic reviews to ensure that the curriculum is being implemented**
14 **with fidelity, is having the intended impact on student achievement, and is modified if**
15 **ineffective;**

16 **(b) Implementing a schoolwide response-to-intervention model;**

17 **(c) Providing additional supports and professional development to teachers and**
18 **principals in order to implement effective strategies to support students with disabilities**
19 **in the least restrictive environment and to ensure that limited English proficient students**
20 **acquire language skills to master academic content;**

21 **(d) Using and integrating technology-based supports and interventions as part of**
22 **the instructional program; and**

23 **(e) In secondary schools:**

24 **a. Increasing rigor by offering opportunities for students to enroll in advanced**
25 **coursework, such as but not limited to advanced placement or international baccalaureate;**
26 **or science, technology, engineering, and mathematics courses, especially those that**
27 **incorporate rigorous and relevant project-based, inquiry-based, or design-based contextual**
28 **learning opportunities; early college high schools; dual enrollment programs; or thematic**
29 **learning academies that prepare students for college and careers, including by providing**
30 **appropriate supports designed to ensure that low-achieving students can take advantage**
31 **of these programs and coursework;**

32 **b. Improving student transition from middle to high school through summer**
33 **transition programs or freshman academies;**

34 **c. Increasing graduation rates through credit recovery programs, reengagement**
35 **strategies, smaller learning communities, competency-based instruction and**
36 **performance-based assessments, and acceleration of basic reading and mathematics skills;**
37 **or**

38 **d. Establishing early warning systems to identify students who may be at risk of**
39 **failing to achieve to high standards or graduate;**

40 **(3) To extend learning time and create community-oriented schools:**

41 **(a) Partnering with parents and parent organizations, faith-based and**
42 **community-based organizations, health clinics, other state or local agencies, and others to**
43 **create safe school environments that meet students' social, emotional, and health needs;**

44 **(b) Extending or restructuring the school day so as to add time for such strategies**
45 **as advisory periods that build relationships between students, faculty, and other school**
46 **staff;**

47 (c) Implementing approaches to improve school climate and discipline, such as but
48 not limited to implementing a system of positive behavioral supports or taking steps to
49 eliminate bullying and student harassment; and

50 (d) Expanding the school program to offer prekindergarten or full-day
51 kindergarten;

52 (4) To provide operational flexibility and intensive support:

53 (a) Allowing the school to be run under a new governance arrangement, such as a
54 turnaround division within the district or department; or

55 (b) Implementing a per-pupil school-based budget formula that is weighted based
56 on student needs.

57 2. A turnaround model may implement strategies such as, but not limited to:

58 (1) Any of the required activities under the transformation model as described in
59 subsection 3 of section 160.2404 or the permissible activities as described under subsection
60 1 of this section; or

61 (2) A new school model, such as but not limited to a themed school or dual-language
62 academy.

160.2408. 1. If parents representing at least fifty-one percent of the students
2 attending a public school or students who live in the attendance area, or a combination of
3 parents representing at least fifty-one percent of students attending the school and the
4 elementary or middle schools that normally matriculate into a middle or high school, as
5 applicable, sign a petition requesting one of the interventions mentioned in section
6 160.2400, the district shall implement the option requested by the parents, except as
7 provided in section 160.2412. Each parent shall sign the petition once for each child he or
8 she has in the eligible school.

9 2. Petitioning parents shall not submit signatures for any school until they have
10 already surpassed the fifty-one percent threshold of support. Once the district receives the
11 petition, it shall have no more than forty-five calendar days to review and verify the
12 signatures as legitimate. If enough discrepancies exist to put the total support level below
13 fifty-one percent, a three-person review board consisting of one person selected by the
14 district, one person selected by the department of elementary and secondary education who
15 may be, but is not required to be, the area supervisor for the district, and the organizer of
16 the petition drive shall resolve questions about the legitimacy of the signatures. If, after
17 the three-person review finishes its work, the number of legitimate signatures represents
18 less than fifty-one percent, parents shall have an additional thirty calendar days to clear
19 up such discrepancies and add the signatures of additional supportive parents.

20 **3. Once the signatures have been verified, the district shall have no more than**
21 **thirty calendar days to reach a decision on the final disposition of the petition.**

22 **4. Unless the parent petitioners explicitly request otherwise, the district shall plan**
23 **the conversion or transformation and shall implement the plan no later than one hundred**
24 **eighty days after the petition is received or, in the case of a petition received after March**
25 **first, no later than the first day of school of the school year beginning in the next calendar**
26 **year.**

27 **5. Parents shall be free from harassment, threats, and intimidation related to**
28 **circulation or signature of a petition, or to the discouraging of signing a petition or to the**
29 **revocation of signatures from the petition.**

30 **6. School or district resources shall not be used to support or oppose any efforts by**
31 **petitioning parents.**

160.2410. 1. If the school district approves a parent petition to convert a public
2 **school into a charter school under section 160.2400, any parents who do not want their**
3 **child to attend the charter school shall have the right to enroll their child in a different**
4 **public school in the same district.**

5 **2. A charter school established under sections 160.2400 to 160.2414 is subject to the**
6 **same accountability and other standards in place for charter schools in the school district**
7 **under sections 160.400 to 160.425. Any charter school that takes over the operation of a**
8 **school under sections 160.2400 to 160.2414 shall continue to serve the entire attendance**
9 **boundary of the school, subject to space considerations. Parents petitioning to establish**
10 **a charter school under sections 160.2400 to 160.2414 do not need signatures from any other**
11 **party.**

12 **3. If the school turnaround option to be implemented is conversion of the school to**
13 **a charter school, the charter operator selected to operate that school shall not have any**
14 **schools in its portfolio that have been under its control for at least five years and are in the**
15 **bottom-performing fifty percent of schools in the state, as measured by the students'**
16 **performance on the Missouri assessment program.**

160.2412. 1. A school district shall adopt and implement the specific school
2 **turnaround option selected by parents in their petition under section 160.2400 unless the**
3 **district makes a finding in writing, presented at a public meeting, that it is logistically**
4 **impossible to implement that option. In such a case, the district shall also state which of**
5 **the other school turnaround options it will implement within the time frame. If the district**
6 **finds that the school turnaround option selected by parents is logistically impossible, it**
7 **shall submit both the school turnaround option selected by parents and the turnaround**
8 **option selected by the district to the state board of education. If, after review and**

9 recommendation by a hearing officer selected by the commissioner under section 160.2414,
10 the state board of education determines that the school turnaround option selected by
11 parents is logistically possible for the district to implement, the state board of education
12 shall require the district to implement that school turnaround option selected by parents.
13 Alternatively, if the state board of education determines that it is logistically impossible for
14 the district to implement that school turnaround option selected by parents, the board shall
15 authorize the district to implement the turnaround option that it has selected for the
16 school.

17 2. If the state board of education authorizes the district to implement the school
18 turnaround plan selected by the district, the district shall plan and implement the selected
19 plan for that school turnaround option no later than one hundred eighty days after the
20 state board authorizes the district board to implement the selected school turnaround
21 option, except that a charter school shall be subject to the time lines required in sections
22 160.400 to 160.425.

23 3. After a designated school has been reorganized, another petition for the
24 reorganization of the designated school under sections 160.2400 to 160.2414 may not be
25 submitted to the governing body for at least three years after the school year in which the
26 reorganization takes place or before the last year of the charter in the case of a charter
27 school.

28 4. If, after two years of school turnaround, the school has not shown significant
29 student achievement gains, the district shall convert that school to a charter school under
30 subdivision (2) of subsection 1 of section 160.2400. The charter management organization
31 that the district chooses to operate the school after it has been converted shall perform as
32 well as or better than the top fifty percent of schools in student achievement, for three
33 consecutive years, on the state's student assessment program.

160.2414. The department of elementary and secondary education is responsible
2 for the following in regard to sections 160.2400 to 160.2414:

3 (1) Within one hundred twenty days from August 28, 2013, the department shall
4 promulgate regulations to implement the provisions of this law, including but not limited
5 to:

6 (a) The petition format and submission process;

7 (b) The appeals procedure and time line if the school district chooses to implement
8 an alternative governance arrangement other than that requested by the petitioning
9 parents;

10 (c) The selection and authorization of the charter operator in circumstances where
11 a charter school is established under sections 160.2400 to 160.2414; and

- 12 (d) The procedures, if any, for rescission of parent signatures;
- 13 (2) The department shall maintain records regarding the contents of and outcomes
- 14 from parental petitions in order to ensure appropriate implementation of sections 160.2400
- 15 to 160.2414 and address concerns identified through regulatory action;
- 16 (3) The commissioner of education or a hearing officer designated by the
- 17 commissioner shall preside over appeals filed by petitioning parents under section 160.2412
- 18 and issue his or her determination in writing.

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